

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
JOHN M. TWELMEYER, M.D., :
RESPONDENT. :
 : **ORDER 0007328**

Division of Legal Services and Compliance Case No. 19 MED 312

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

John M. Twelmeyer, M.D.
Minocqua, WI 54548

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent John M. Twelmeyer, M.D. (DOB XX/XX/1961), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 34895-20, first issued on September 23, 1993, with registration current through October 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Minocqua, Wisconsin 54548.

2. At all times relevant to this proceeding, Respondent practiced obstetrics and gynecology at a medical clinic located in Minocqua, Wisconsin (Clinic).

3. On May 1, 2019, Respondent performed a vaginal hysterectomy on Patient A (a 27-year-old female), assisted by a nurse practitioner (NP B). In the post-acute care unit, Patient

A became hemodynamically unstable and her hemoglobin dropped significantly. A bedside ultrasound and CT imaging showed extensive fluid collection in the right lower quadrant, suggestive of significant abdominal bleeding.

4. Patient A was returned to the operating room (OR) where Respondent attempted to identify the source of bleeding by opening the vaginal cuff rather than an abdominal approach. However, the amount of blood present prevented Respondent from visualizing the source of bleeding or prevent further bleeding.

5. Another physician (Physician C) was called to the OR to assist at the recommendation of NP B. Prior to Physician C's arrival, Respondent converted to a mini-laparotomy (abdominal approach) and attempted to remove the extensive blood and clots in Patient A's abdomen. Physician C arrived to the OR and assisted with care of Patient A including completion of the revision procedure, follow up cystoscopy, blood transfusion, and closure.

6. The Clinic's Peer Review Committee subsequently conducted a review of Respondent's care of Patient A and concluded that Respondent's management of Patient A's bleeding was below the standard of care, including Respondent's decision to approach vaginally in light of the large volume of blood identified in Patient A's abdomen on ultrasound and CT, Respondent's lack of knowledge regarding available hemostatic products and labs to order under the circumstances, and Respondent's lack of a coordinated approach to manage Patient A's bleeding in the OR.

7. On June 26, 2019, the Clinic's Peer Review Committee notified Respondent by letter that they had significant concerns with Respondent's management of Patient A's perioperative complications and that the matter was being referred to Clinic Administration.

8. Respondent had previously been placed on a performance improvement plan (PIP) by the Clinic in January 2019, based on concerns about his obstetrics care and surgical complications.

9. On July 5, 2019, the Clinic's Medical Director notified Respondent by letter that to maintain his employment with the Clinic, he would be required to be personally proctored for a minimum of fifteen gynecological surgical procedures, including all hysterectomies and pelvic prolapses.

10. In lieu of the proctorship required by the Clinic, Respondent voluntarily agreed to limit his practice effective July 5, 2019, to no longer perform major gynecological procedures, including hysterectomies and prolapse surgery. The voluntary agreement allowed Respondent to continue to perform laparoscopic procedures, hysteroscopic procedures and cesarean sections.

11. The Department received a National Practitioner Databank (NPDB) report that Respondent had agreed to voluntarily limit his gynecological surgical practice effective July 5, 2019, after a review of his management of perioperative care following a vaginal hysterectomy case.

12. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent, engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(2)(b), by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk of harm to a patient or the public whether or not the act or omission resulted in actual harm to any person.

3. As a result of the above conduct, Respondent, is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The medicine and surgery license issued to Respondent, (license number 34895-20) is LIMITED PERMANENTLY as follows:

- a. Respondent shall not perform hysterectomies, prolapse surgery, or exploratory laparotomies on any patients.
- b. This limitation does not preclude Respondent from performing laparoscopic procedures, dilation and curettage (D&C) procedures, cesarean sections, post-partum tubal ligations, and hysteroscopy procedures.

4. Within 10 days from the date of this Order, Respondent shall furnish a copy of this Order to all present employers and to any hospital or facility at which he currently has privileges.

5. Respondent shall furnish of copy of this Order to any prospective employer when Respondent applies for employment as a health care provider and to any hospital or facility when applying for and/or renewing his privileges.

6. Within 90 days from the date of this Order, Respondent, shall pay COSTS of this matter in the amount of \$844.00.

7. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online: <https://dspsmonitoring.wi.gov/>

8. In the event Respondent violates any term of this Order, Respondent's license (no. 34895-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

9. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

By: Stephen A. Wasserman, MD
A Member of the Board

21 April 2021
Date

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JOHN M. TWELMEYER, M.D.,
RESPONDENT.

STIPULATION

ORDER 0007328

Division of Legal Services and Compliance Case No. 19 MED 312

Respondent John M. Twelmeyer, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

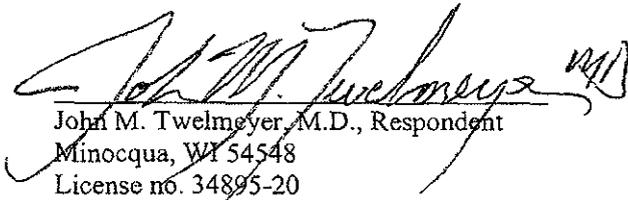
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of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

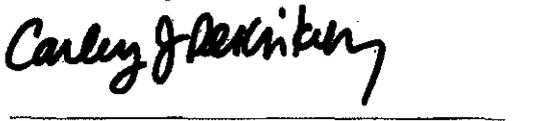
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


John M. Twelmeyer, M.D., Respondent
Minocqua, WI 54548
License no. 34895-20

3/12/21
Date


Carley Peich Kiesling, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

03/12/2021
Date